

SUNLAND-TUJUNGA NEIGHBORHOOD COUNCIL
LAND-USE COMMITTEE MEETING MINUTES
December 15, 2014

- I. The meeting was called to order at 7:09pm by Committee Chair Dean Shearer
- II. Roll Call
 - a. Present
 - i. Dean Shearer
 - ii. Bill Skiles
 - iii. Cindy Cleghorn
 - iv. Debby Beck
 - v. Nina Royal
 - vi. Chaz VanAalst
 - vii. Roberta Konrad
 - viii. David Barron
 - ix. Elektra Kruger
 - x. Arsen Karamians
 - xi. John Laue
 - xii. Henry Hubert
 - b. Public representatives present
 - i. Claudia Rodrigues – Planning Deputy CD7 ☺
- III. Approval of Minutes of 12-1-14
 - a. **MOTION:** by Cindy Cleghorn to approve the Minutes of 12-1-14 as amended 2nd by Bill Skiles Vote: Unanimously approved
- IV. Motion for Cathi Comras to fill the vacancy on the STNC Land-Use Committee
 - a. Tabled. Ms. Comras could not attend this evening.
 - b. Dean S. explained the general qualifications for and process for applying to join the Land Use Committee. He invited audience members to consider joining
- V. CD7 Up-Dates – Claudia Rodrigues
 - a. Amendments to the Sign Ordinance will be heard at tomorrow’s PLUM meeting
 - b. There will be another Environmental Scoping Meeting for the Canyon Parks Development scheduled in January which will allow for continued submission of comments/concerns on the Project
 - c. Wednesday = Mayor’s Photo Day for anyone interested in going to City Hall to take pictures with the Mayor
 - d. The High Speed Rail has had some community meetings the last couple of days allowing community members to submit comments regarding the three alternate routes effecting Shadow Hills, Lake View Terrace and La Tuna Canyon
- VI. Sister Elsie Project – Dean Shearer
 - i. The STA appeal hearing has been scheduled to be heard in Jan. Ahead of that there are some negotiations being held w/the applicant & architect to see if design modifications could be made that would be acceptable not only to the appellants but to the applicant such that the actual appeal could be withdrawn
 1. The 1st meeting was held this afternoon facilitated by the CD7 Council Office. CD7 Planning Deputy Claudia R. encouraged the applicants to attend this meeting which also inc’d a local architect from S. Pasadena

2. The S. Pasadena architect (Mr. Dawl) serves on their Planning Commission and served as an independent commenter/reviewer of the architectural plans of the Sister Elsie Project
 3. Mr. Dawl was very good at making suggestions that would set up a desirable precedent.
 4. The LUC and audience thanked Claudia R. and the CD7 Office for setting up the meeting
- VII. Preliminary Presentation for the Backdoor Bakery – Deborah Goodale, owner and Jerry Pendergast, consultant
- a. The original intent was to rebuild at the old location, but they now plan to add sidewalk dining & to file for a CUP for beer & wine at a new location – the old Starbucks site. Will be renting out 2 units – the back as a commissary kitchen & the front as a restaurant
 - i. Will be expanding to offer dinner. Intend to serve only locally produced beers and wines. Decided to move to the new location to accommodate the commissary kitchen to increase bakery production
 - ii. There will be a full-scale café in the old Starbucks which will serve breakfast, lunch and dinner. Breakfast = coffee and pastries, lunch = sandwiches and salads and a full dinner menu.
 - iii. There will be two separate kitchens – the larger commissary kitchen to serve as the bakery and the front restaurant kitchen which does not need to be as large
 - b. Planning on tenting the patio the old Starbucks had to accommodate year-round outdoor seating and looking to add a sidewalk café in front so there will be indoor/outdoor dining
 - c. There will be on-site dining & the option to sell products “to-go” from the back location. The commissary will be in the another unit, not directly connected to the Starbucks unit. Licensed as industrial space therefore parking = 2/1,000 sq ft.
 - i. Number of parking spaces for the back = 4/1,000 sq ft, for the front restaurant = 10/1,000 sq ft. There is plenty of parking available
 - d. Planning on opening the end of April – the CUP for Beer and wine will be coming later and depends on how much support they get from the Council Office to expedite the process.
 - e. They have the option of leasing additional rental space which is now office space – that will be discussed later on. If they do take it, that might be turned into a fully licensed private event space.
 - f. Two new exit locations will be added - a new door behind the present door of the parking lot space for a delivery entrance and another about two-thirds of the way down the street which would be a direct entrance to the outdoor patio.
 - g. Barriers will have to be placed according to California Code. City requires a 40” right-of-way to the curb but does allow for a 36” encroachment permit. A 36” high railing is required to separate their space from the right-of-way
 - h. The applicant’s representative stated they know of four processes that they will need to go through with the County and City:
 - i. Los Angeles Health Dept. – County process
 - ii. A Building and Safety Permit for tenant improvements
 - iii. A CUB requiring surrounding neighbors, STNC/LUC and CityCouncilperson support and appearance before a Public Hearing with a Zoning Administrator.
 - iv. A permit for sidewalk seating

- i. Dean S.: What will happen to the site that burned down? Deborah G.: Doesn't know, but understands the intent is to rebuild the site.
 - j. Jerry P. indicated that the site allows for two liquor related licenses on the property and that one possibly already exists that is not being used. Sake Sake has the other one.
 - k. Jerry P. complimented the landlord on his selection of lessee for the space – there were two national chain operations that wanted that space. The landlord wanted to go with a local operator
 - l. The LUC expressed positive support for the Back Door Bakery and offered good luck and any assistance that may be needed as they step through the City's processes.
 - m. The Back Door Bakery has been closed since Mother's Day 2014 and the community looks forward to their grand reopening in their new location.
- VIII. Day St/Pali Villa Nova Development Plans have been submitted to planning (see attached) – Cindy Cleghorn
- a. Cindy C. forwarded the TTM to members of the LUC. The developer intends to subdivide three existing lots into 14. Improvement plans have just been received. Cindy C. will request a digital copy from the applicant so they can be placed on the web-site
 - b. The developer requested to make a presentation to the full STNC Board in January. Now that the LUC has more information, we would like to invite him back to the LUC first although this would require an extra meeting in January – tentatively January 12
 - i. Another presentation has already been scheduled for the monthly Full Board Meeting in January so any presentation time for the Villa Nova developer may be limited
 - c. Elektra K.: The application requests a ZV for a “quick start of construction” – findings for granting a ZV has nothing to do with construction start time, only with relaxed regulations necessary based on unique hardships making strict adherence unfair
 - i. Hardships are a matter of unusual lot shape/topography in which strict adherence to zoning regulations would not allow the property owner the same rights possessed by others in the same zone/vicinity. Comment needs to be submitted to planning
 - 1. Dean S.: Until we are familiar with all aspects of the application – the Zone Boundary Adjustments, the Site Maps to see how the houses will be sited on the lots etc we cannot logically comment on the Project
 - 2. Nina R.: At PlanCheck it was brought up for the need to comment early & not wait to get notice fr the City – by then it is too late bec they have been working on it for a long time. Our delayed input will have little impact
 - d. Cindy C.: raised a question regarding Marta Litwin signing as the Notary Public and representing the project on the applications as filed. Notary Public's are independent and not parties to documents they sign.
 - i. Audience: Can the entire package be nullified since the representative is the same person as the Project representative? Cindy C.: All we can do is communicate that to the City and see what anyone does about it
 - e. A neighbor residing across the street from the site has concerns about cutting into the mountain at the rear of the property given the recent disasters we have seen caused by heavy rains which have led to mudslide damage and red tagged homes (ZIMAS = landslide threat)
 - f. Roberta K.: Thought there had been talk of an environmental review being required – nothing appears to reflect that in the application. Dean S.: We did submit a

communication addressing some of the concerns of the neighbors re grading/erosion etc

- i. In the letter we asked for a full EIR which would require them to address these issues before going to the permit counter and pulling permits to build the houses – we have that on record as an NC
 - ii. The letter was written after the presentation but before we had all the details of the Project. At the time we were not sure what all the impacts might be but were concerned enough to request an environmental analysis
 - 1. Audience: Who does the analysis – the developer, the City, an independent third party? If it is the developer or someone the developer hired, I wouldn't trust it
 - 2. Dean S.: Environmental documents are written by the City Planner of impacts and how they can be mitigated. Analytical information generally comes from consultants hired by the developer
 - 3. Dean S.: LA is the last City that still allows a private developer to hire an EIR consultant and to pay them to prepare an EIR analysis – in all other communities it is public agencies that hire the consultants
 - 4. Dean S.: Developers pay for the analyses, there should be no communication betw the developer & the EIR consultant – only betw City staff and the consultant – assures a greater degree of impartiality
 - iii. Dean S.: There is no Environmental Review yet – only an Environmental Assessment form submitted. Based on the information on this form, the City Planner will decide the level of Environmental Review to be required
 - 1. Information on the Assessment form is inaccurate. Guesses that the level of Environmental Review for this Project will be at the level of a Mitigated Negative Declaration – will be circulated for Public Comment
 - g. Debbi B.: Need to determine how many acres of the 11.55 acre Project Site is zoned RE40 vs R1 – the application does not specify this and on the map the majority of the property appears to be RE40 – can it really accommodate 14 lots?
 - h. Debbi B.: Recommended that the LUC review the application closely. The Parcel Profile Report lists the property as being in a Hillside Area, subject to the Baseline Hillside Ordinance, subject to fire hazard, subject to high wind velocity, subject to landslides
 - i. Dean S.: Encouraged people to come to the January 12 meeting at which time there will be a fuller discussion of the Project. By then the Project will be posted on the STNC web-site
 - ii. Dean S.: There are so many inconsistent statements on the application and many questions are not even answered. Part of the application review process requires the Planning Department to deem an application complete
 - 1. An application should be deemed complete before being processed & sent to Public Hearing. This one is not. It is ironic that the applicant is requesting an expedited process on an application insufficient & inaccurate
- IX. Scoping Meeting for 12400 Big Tujunga Canyon – Canyon Parks Development
- a. Debbie Ray: The meeting was poorly attended - +/- 25 people. It was not a “meeting” as such, only a handful of easels with posters each with a representative of whom one could ask questions. Need to get more people to attend the next meeting

- i. Dean S.: The old format for Scoping Meetings would have a City Planner/Rep for the Project give a presentation re the Project, then an EIR consultant would describe potential impacts & studies to be undertaken – then Public input
 - ii. Audience: When there is no presentation, it is up to the audience to become informed from some other venue & to be smart enough to ask crucial questions – the current format is designed for information disclosure to individuals only
 - 1. Audience: The meeting should have been a presentation followed by a break-out to the easel set-up for people to engage individual consultants regarding specific concerns of personal interest
 - 2. Audience: We wish to set up our own Townhall Meeting much like the typical old format at which we would invite a rep fr the Planning Dept, the Developer – & if they don't come we still would have our own presentation to inform the community about what is going on
 - 3. Debbie Ray: The Townhall Meeting needs to be before the second Scoping Meeting because the Scoping Meeting is where you state the subjects you want covered in the EIR
 - 4. If an item of concern is not brought up in the venue of a Scoping Meeting, it may not get covered in the DEIR & once the DEIR is released they need only respond to comments to the DEIR – nothing else
 - 5. The new Scoping Meeting format is rigged in the developers favor – limited subject matter presented on the easels = reduced thought provoking comments = reduced subject matter required in the DEIR
 - 6. Dean S.: Despite that, the EIR doc is a collaborative doc betw Planning & the EIR consultants & both know potential issues fr experience – it is rare for something to come up at a Scoping Meeting that they have not already thought about
 - iii. Cindy C.: Noticing was not sufficient. As a NC we could push for more expanded noticing. Audience: asked the sign-in person if they could broaden the noticing area. Said they would need addresses. SaveTheCanyon can supply that
 - 1. Need to verify in writing that the Planning Depart will accept those add'l addresses. Dean S.: Good step, but developers pay for noticing and radius maps – if accepted, shows level of openness on their part
- X. Discussion of STNC By-Laws and land-use documents/plans for new LUC members - Cindy Cleghorn
 - a. There are new members on the LUC so it might behoove us to have a separate meeting after the first of the year to review documents that guide us to help keep us focused as an LUC
 - b. It is important for us to remember that we are representing the community at large and not our own individual interests
 - c. Cindy C./Dean S. will send potential date selections for this special meeting per E-Mail along with a sample “productive” agenda
- XI. Samoa Project – Bill Skiles/Cindy Cleghorn
 - a. The TEFRA Fund hearing was held in C.C. last wk at which time they passed the \$15 mill for the Project. At the Hearing CM Fuentes emphasized at least 5 times that this was a by-right Project. That may have clouded Council understanding of the actual issue
 - i. At issue was not the Project itself but why was the City approving funding for a developer to build ANY by-right Project

- ii. Councilmember Fuentes knew full well that we were opposed to the funding based on the arguments we gave in the CIS but when one Councilmember wants something in his District all other Councilmembers are going to support him
- iii. Dean S.: The reason the funding is being supported is because it is helping the City achieve its affordable housing goals
- iv. Nina R.: Just because the City supports TEFRA funding, the State doesn't have to and the monies are State monies so we talked to Patti Lopez our newly elected Assemblyperson – she can stop it at the State level
 - 1. The Project does not meet the criteria for the funding – it is not on a transit corridor, the street is too narrow to accommodate off-street parking – we still have a chance, it is not over yet
 - 2. We need to get Patti Lopez on board with this by inundating her with communications saying this is not acceptable to the community so she knows her constituents do not want this
- v. Debbi Ray: Aside from the traffic issues, at the Hearing I objected to the fact that they qualified our CIS as “the meeting” – a community meeting is required prior to approval of funding
 - 1. Debbi Ray appealed to the Council & CM Fuentes to please put the item on hold until the community could have its meeting. To equate the CIS statement as a “meeting” as required by TEFRA Funding is outrageous
- vi. Audience: The cost is about three times as much per sq ft as it would cost a regular developer and we as taxpayers are paying for this – why is it costing so much and where is the extra money going?

XII. Public Comments

a. Sheri Smith

- i. Invited all to Bolton Hall on Jan 10 for the regular program meeting at 1pm on NEON – all about neon signs (see attached flyer) to be presented by Dr. Dylia Delyser & historian Paul Goldstein. They are attempting to determine where the 1st neon sign was
- ii. Bolton Hall is regularly open 1pm-4pm Sunday and Tuesday. The current rotating exhibit is on “millinery delights” = hats. (See attached flyer)

b. Roberta Cole

- i. Has not heard from either LADBS Chief Inspector Kim Arthur or Sr Inspector Eric Jakeman in response to a letter she sent in Sept. 2014 re damage to a driveway easement serving herself & 2 other properties as a result of construction activities by Villa Nova Development. Requested suggestions as to how to proceed.
 - 1. Cindy C.: Pointed out this is the same developer as the Day St Villa Nova development
 - 2. Audience: Can one determine if a complaint has been filed to and dealt with by Building and Safety? There are other properties by the same developer that have had similar complaints.

XIII. Up-Dates on Foothill BI locations of interest

- a. There are no up-dates on any of the listed properties. Need to put together a list of addresses with a detailed statement of issues to determine what the real problems are overall rather than seeking specific address up-dates of our Council representatives
- b. Need to determine if addresses under construction are in SP Target Areas. If not, building permits are ministerial and we would never be made aware of them

- XIV. Committee Member Up-Dates
- a. Dean S.: Workmen are removing the fake river rock of the Foothill/Commerce Town Center
 - b. Cindy C. and Dean S.: Attended the Valley Alliance Planning Forum. At one of the round-tables the leader of the discussions was from the Urban Design Studio that drafted the Small Lot Subdivision Ordinance and its guidelines. The Ord was intended for high density infill lots, not large open areas like the VHGC.
 - i. They are seeing applications of this type being used to increase the number of lots on large properties – this is not what this Ordinance was intended for.
 - c. Cindy C.: Valley Alliance Planning Forum – Liquor licenses are issued by the State, not the City.
 - d. Dean S.: As we oppose Projects we need to keep in mind that property owners & developers are stakeholders too. Where we live, where we shop were once Projects too – that is our community. We must be responsible and balanced in our decision-making
- XV. Meeting adjourned at 9:16pm